

THE UNITED STATES AND CENTRAL AMERICAN REVOLUTIONS

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with the aid of the Research Staff of the Foreign Policy Association

THE ATTEMPT AT UNION IN 1917

HAVING reviewed in the preceding report—"The United States and Central American Stability"—the early interventions of the United States in Central America and the attitudes of Presidents Taft and Wilson toward revolution, we shall summarize here the more recent efforts of the Central American republics to restore the Central American Court of Justice and re-establish union, culminating in the Washington Conference of 1923. The policy of the United States in applying the Washington treaties will be reviewed and some general conclusions concerning American policy will be drawn.

Following the decision concerning the Bryan-Chamorro treaty, the Nicaraguan government on March 9, 1917 denounced the convention establishing the Central American Court of Justice. In any event, that convention would have come to an end in March 1918 when the ten-year period for which it was concluded expired.¹ Some governments believed that the disappearance of the court was a vital blow to the rest of the 1907 conventions. Thus, the government of Salvador contended that the general treaty of peace and amity had become void because the court "was not only the most efficient manifestation of the juridical life of Central America . . . but because it constituted the force and action, the necessary complement of that treaty with which it formed a homogeneous whole, impossible of separation."² This view was also held by Guatemala. While other

governments did not believe that the 1907 treaty had disappeared with the court, they accepted the proposal of Costa Rica that a new conference be held to discuss these questions.³ Agreeing to consider this more ambitious proposal, the governments decided to call a preliminary meeting of plenipotentiaries on February 10, 1918 at Guatemala City to discuss the agenda. Meanwhile, with the approach of the centennial of Central American independence on September 15, 1921, many popular manifestations in favor of union were made. Nicaragua, however, would agree to participate only on condition that Panama should be invited to cooperate in establishing a union, and that the conference be held in Washington or Panama with the friendly assistance of the Mexican and American governments.⁴ Honduras, however, pointed out that Panama had never formed part of the Central American federation and that, moreover, it was not a sovereign state because of Article 136 of the Panama Constitution, which authorized the intervention of the United States.⁵ Before this deadlock could be broken, an earthquake made it impossible to hold the conference in Guatemala City.⁶ Nicaragua then invited all the other Central American governments except Costa Rica to meet in Managua. Presumably it did not send an invitation to Costa Rica because Nicaragua alone of the Central American

1. Raymond Leslie Buell, "The United States and Central American Stability," *Foreign Policy Reports*, Vol. VII, No. 9, July 8, 1931.

2. *Ibid.*, p. 168. Nicaragua contended that it denounced the convention for economic reasons and to prevent "erroneous interpretations and applications of Article 19 of the General Treaty of Peace and Amity." (Note of September 6, 1917 to Honduras. Cf. Mariano Vázquez, *La Grande Ilusión, Trabajos Unionistas de 1917 y 1921*, San Salvador, 1924, p. 32.) The correspondence concerning the revival of the court and other matters regarding the 1907 treaties is published in *ibid.* (Cf. also Paulino Valladares, *Movimiento Unionista*, Tegucigalpa, Tipografía Nacional, 1917.)

3. Circular Telegram of March 24, 1920. Cf. "Contiene la Actuación de la Cancillería Salvadoreña relativa al Negociado de la Unión de Centro-América," *Libro Rosado, 1921* (República de El Salvador, Ministerio de Relaciones Exteriores, 1921), p. 4.

4. Honduras declared that the life of the court convention had been limited to ten years in order that union might then be fulfilled. Note of July 31, 1917, Valladares, *Movimiento Unionista*, cited, p. 6.

5. Note of September 6, 1917, Valladares, *ibid.*, p. 19. Salvador had suggested the participation of the two latter governments in its note of August 15, 1917 to Costa Rica.

6. Note of October 15, 1917, Honduras to Nicaragua, *ibid.*, p. 39.

7. Vázquez, *La Grande Ilusión*, cited, p. 74.

republics had not recognized the Tinoco régime.⁸ The failure to invite Costa Rica naturally irritated the Tinoco government, and no conference was held. In a note of February 21, 1918, Costa Rica declared that it would be contrary to national dignity "to participate in an event to which it had not been invited, because of the lack of express recognition of a legally constituted political order that had existed for a year." Thus the conservative government in Nicaragua at first imposed conditions which the other governments would not accept, and then, abandoning these conditions following the earthquake, seized upon the Tinoco question, apparently as an indirect means of preventing the unionist conference from being held.

THE SAN JOSE CONFERENCE OF DECEMBER 1920

No further steps toward reviving the question of union were taken until after the fall of the Tinoco régime. On June 24, 1920 Salvador invited the other governments to a Central American conference to restore the court, to revise the Washington agreements, and to further union.⁹ As a result of this initiative, it was finally decided to

hold a conference at San José in December 1920.¹⁰ At this conference the Nicaraguan government demanded that, as a condition of its entering a Central American union, the validity of the Bryan-Chamorro treaty be expressly recognized. Nicaragua declined to accept any compromise on this question and finally withdrew from the conference.¹¹ On January 19, 1921 the four remaining states signed the pact of San José providing for federation; this treaty was soon registered with the League of Nations at Geneva.¹²

While Nicaragua, Salvador and Guatemala ratified the pact of San José, Costa Rica failed to do so.¹³ The fact that Nicaragua, a country which separated Costa Rica from the remaining states, had failed to join influenced Costa Rica's attitude.¹⁴ Representatives of the three northern states now held a constitutional convention¹⁵ at Tegucigalpa, where a constitution establishing a federal government for these three states was drawn up.¹⁶ The constitution entered into effect on October 1, 1921. A commission was sent to Washington to request recognition but it was not successful before the federation came to an end.

THE ORELLANA REVOLUTION IN GUATEMALA

A month after the federation was established—December 5, 1921—a military movement in Guatemala, headed by General Orellana, a former associate of Estrada Cabrera, overthrew President Carlos Herrera.¹⁷ Forcing Herrera to resign, a junta charged Orellana with the executive power and convened a special session of the legislature—

an act which was regarded as illegal. The legislature named Orellana first designate and, after accepting Herrera's resignation, named Orellana as his successor.¹⁸ Thus, at the very beginning of its existence, the federal government was confronted by a revolution within one of its states. According to its constitution,¹⁹ the federal government was charged with the duty of maintaining internal order in the Union and raising forces to suppress revolts. Consequently, the provisional council at Tegucigalpa declined to accept representatives from the revolutionary government, despite the fact that it professed friendship for the Union, but asked that elections for federal Senators

8. Cf. Buell, "The United States and Central American Stability," cited, p. 181.

9. *Libro Rosado*, 1921, cited.

10. *Ibid.*, p. 134. The program for the conference was drawn up by the International Bureau in Guatemala.

11. For an official summary of the proceedings, cf. *Informe Oficial de la Delegación Salvadoreña y protocolo de la Conferencia de Plenipotenciarios Centroamericanos*, 1920, República de El Salvador. For the report, cf. Honduras, *Memoria, Relaciones Exteriores*, 1921-1922, p. 12 et seq., 58; and "The United States and the Nicaragua Canal," F. P. A. *Information Service*, Vol. IV, No. 6, May 25, 1928. One writer states: "Behind the Nicaraguan government was the Chancellery of the United States." Enrique Gay-Calbó, *La América Indefensa* (Habana, Bouza y Cia., 1925), p. 42.

12. For the text, cf. Honduras, *Memoria, Relaciones Exteriores*, 1920-1921, p. 51; also, League of Nations, *Treaty Series*, Vol V (1921), No. 113, p. 9.

13. The vote was twenty in favor to nineteen against. Under the Costa Rican Constitution of 1871 (amendment of 1888), treaties entered into for Central American union require for acceptance an affirmative vote of at least two-thirds, after which a Constituent Assembly is to be called. A two-thirds vote of the latter body also is necessary for union.

14. I. J. Cox, *Nicaragua and the United States, 1909-1927* (Boston, World Peace Foundation, 1927), p. 75 et seq.

15. For the debates, cf. *El Federal Boletín de la Asamblea Nacional Constituyente* (Tegucigalpa, 1921), No. 1-7.

16. For the text of the Constitution, cf. Honduras, *Memoria, Relaciones Exteriores*, 1920-1921, p. 109.

17. Cf. Rafael Montúfar, *Caída de una Tiranía* (Guatemala City, 1923), chap. XVI.

18. *El Guatemalteco*, December 6, 10, 1921.

19. Articles 68; 177, Paragraph 4.

should be conducted by the old Assembly.²⁰ As a result, Guatemala withdrew from the federation January 14, 1922. Meanwhile, it was proposed that the federal government ask Salvador and Honduras to use their military forces to keep Guatemala in the Union.

AMERICAN ATTITUDE HASTENS TERMINATION OF THE UNION

A number of Central Americans expected the United States to take the same attitude of disapproval toward the revolt as it had taken against Tinoco, and to refuse to recognize Orellana, especially as this movement was apparently an attempt to revive the old *Cabrerista* régime.²¹ But instead of protesting against the coup, Secretary of State Charles Evans Hughes, in a circular note of December 17, 1921 to Guatemala, Nicaragua, Honduras and Salvador, declared:

"The United States would view with the greatest concern any attempt by one Central American country to interfere in the internal affairs of another, either by invasion or by assisting any one political party. Any Government which made such an attempt would incur the heaviest responsibility for embroiling Central America in a war which would discredit Central America in the eyes of the civilized world. The United States confidently expects, therefore, that all of the Central American Governments will scrupulously comply with the principles laid down in the Treaties of 1907."²²

Confronted by this ultimatum, the provisional council at Tegucigalpa enacted a decree terminating the Union and authorizing each state to resume its independence. An election was now held in Guatemala (February 1922), as a result of which Orellana was elected President for six years. Shortly afterward (April 17), the State Department recognized him.²³ This series of events gave rise to the charge that the United States was opposed to Central American union.²⁴ It was declared that the

United States was not justified in invoking the 1907 treaties in opposition to the Union, since these treaties had lapsed with the signature of the pact of San José.

THE TACOMA CONFERENCE

With the collapse of the Unionist movement, the political relations between Salvador, Nicaragua and Honduras again became strained. Emigrés started intrigues against their governments, and war and revolutions were threatened.²⁵ At the invitation of the Nicaraguan government, the Presidents of Nicaragua, Salvador and Honduras met with the diplomatic representatives of the United States (August 20, 1922) on board the *U.S.S. Tacoma*²⁶ in the Gulf of Fonseca, where they signed an agreement declaring that, pending a revision of the General Treaty of Peace and Amity of 1907, they would "regard the said treaty as being in force." They especially undertook to restrict the activities of émigrés and, under certain circumstances, to expel leaders of revolutionary movements. Clause V of the agreement provided that a new Central American conference should be held to promote union "in a practical way"; and that a preliminary conference should meet the following December to decide what form studies should take toward the realization of this measure. Finally, the three governments agreed to

"submit to arbitration all disputes now existing, or which may arise . . . over boundary questions, the interpretation of treaties, and any other matters which may give or have given rise to discussions or dissension among them."²⁷

20. Decree No. 12, January 9, 1922, published in Guatemala, *Memoria, Relaciones Exteriores*, 1922, p. 5 et seq. For a somewhat similar incident in connection with the Central American Court, cf. Buell, "The United States and Central American Stability," cited, p. 172.

21. T. R. Dawley, "La Revolución y la Usurpación en Guatemala," *La Reforma Social*, XXV (1923), 10, 14. J. López, "El Reconocimiento de Orellana," *ibid.*, 1922 XXIII, p. 99. Dr. López states that Orellana knew he would be recognized by the United States before he launched his coup d'état.

22. Spanish text in Nicaragua, *Memoria, Relaciones Exteriores*, 1922, Vol. I, p. 235.

23. Guatemala, *Memoria, Relaciones Exteriores*, 1923, p. 3.

24. A Central American Unionist Committee in New York declared that in order to maintain itself in power the Meléndez

dictatorship in Salvador wished to negotiate a loan with René Keilhauer, which ultimately resulted in the establishment of a degree of American financial control. (Cf. Raymond L. Buell, *The Central Americas*, F. P. A. Pamphlet, No. 69, December 1930, p. 13.) The committee contended that any loan negotiations should have been conducted by the federal government, and that to prevent federal interference, both Keilhauer and the Salvadorean government secretly hoped that the federal government would be overthrown. "Quifóñez [a brother-in-law of Meléndez] aspired to the Presidency of Salvador. He needed funds for the electoral campaign, and also the support of Washington. Keilhauer offered the one and the other under the form of a loan. . . . But at the last hour the State Department intervened and advised that they wait and see if the Federation would be recognized." (*La Comedia éfnita! Comité Unionista Centroamericano*, New York, 1922, p. 10.) Actually, the federal constitution (Article 11) authorized each state to negotiate loans, subject to ratification by the federal government.

25. J. A. Villacorta, *Curso de Historia de la América Central* (7th ed., Guatemala City, Sánchez and De Guise, 1928), p. 300.

26. The President of Honduras suggested that the meeting take place on board an American vessel. Nicaragua, *Memoria, Relaciones Exteriores*, 1922, p. 300.

27. The boundary question between Honduras and Nicaragua was excepted. For the text of the Tacoma agreement, cf. *Conference on Central American Affairs, Washington, December 4, 1922—February 7, 1923* (Washington, Government Printing Office, 1923), p. 7.

THE 1922-1923 CENTRAL AMERICAN CONFERENCE AT WASHINGTON

While agreeing to recognize that the 1907 convention was still in force, Costa Rica and Guatemala declined an invitation to adhere to the Tacoma agreement.²⁸ Sentiment in Costa Rica was frankly hostile, alleging that the United States, having prevented the Central American countries from settling their own problems, now wished to settle such problems for them.²⁹ Nevertheless, both Costa Rica and Guatemala, with the three other states, accepted an invitation from the United States (October 21) to attend a Central American conference, to begin on December 4 in Washington. This invitation asked the conference to discuss:

- (1) The negotiation of a treaty to make effective those provisions of the 1907 treaties which had been "effective in maintaining friendly relations and cooperation among the Central American States";
- (2) measures to achieve a limitation of armaments, following the example of the Washington conference;
- (3) the working-out of a plan for establishing Tribunals of Inquiry "whenever any disputes or questions regarding the proposed treaty or treaties, which cannot be settled by diplomatic means, shall unfortunately arise between any two or more of the countries";
- (4) "any other questions which the countries represented at the conference unanimously desire to consider."

This invitation precluded the possibility of holding the preliminary conference of Central American states in accordance with the Tacoma agreement and the 1907 precedent.³⁰ The American invitation also virtually prevented the Central American states from fixing the agenda, and its terms were considerably different from those proposed by the Tacoma agreement. Thus the American invitation was silent in regard to practicable measures for Central American cooperation, and by implication it shelved the proposal to revive the Central American Court and compulsory arbitration, in favor

of a system of "tribunals of inquiry." No other question could be brought up except by unanimous consent—a provision which made it possible for either the United States or Nicaragua to block any proposal to discuss the validity of the Bryan-Chamorro treaty, or American policy in Nicaragua generally.³¹ Finally, the United States did not ask Mexico to cooperate in the conference as in 1907, one reason being that the United States had not recognized the Obregón government.³² In contrast to 1907, when a Central American was elected chairman, the 1923 conference was presided over by Charles Evans Hughes; moreover, an American diplomatic officer was Secretary-General, while Mr. Sumner Welles, the second American delegate, played an active part.

In opening the conference, Secretary Hughes declared:

"The Government of the United States has no ambition to gratify at your expense, no policy which runs counter to your national aspirations, and no purpose save to promote the interests of peace and to assist you, in such manner as you may welcome, to solve your problems to your own proper advantage. The interest of the United States is found in the peace of this hemisphere and in the conservation of your interests."³³

GENERAL TREATY RE-DEFINES RECOGNITION PRINCIPLES

As a result of the labors of the conference, which closed on February 7, 1923, one treaty and eleven conventions were concluded.³⁴ Perhaps the most important instrument was the new general treaty of peace and amity which replaced the 1907 agreement. The 1923 agreement omitted the provisions concerning compulsory arbitration and the neutrality of Honduras, but it retained the provision (Article IV) that "in case of civil war no Government of Central America shall intervene in favor of or against the Government of the country where the conflict takes place." The provisions against the fomenting of revolution by political refugees were

28. Guatemala previously had offered to mediate between Salvador, Honduras and Nicaragua, but apparently the offer had been ignored in favor of mediation by the United States. Cf. Guatemala, *Memoria, Relaciones Exteriores, 1923*, p. 5.

29. Cf. Gay-Calbó, *La América Indefensa*, cited, p. 61. A Latin American writer asked "Is not the Tacoma conference an intolerable and unpardonable farce, horribly ridiculous and stupid, this action of Washington in Central America, after the acts of vandalism, committed by the imperialism of Washington during the last twelve years? Who destroyed the Court of Central American Justice? Who destroyed Nicaragua as a sovereign and independent nation? Who made impossible the permanence of the famous régime established by the 1907 treaty. . . ." Jacinto López, "Comedias del Imperialismo," *La Reforma Social*, Vol. XXIV (1922), p. 100.

30. Buell, "The United States and Central American Stability," cited, p. 166.

31. For the efforts of Salvador to change the rules in this respect and Mr. Hughes' opposition, cf. *Conference on Central American Affairs*, cited, p. 88-100.

32. This government was recognized on August 31, 1923.

33. *Conference on Central American Affairs*, cited, p. 22.

34. For the list and present state of ratifications, cf. *Appendix*, p. 204.

strengthened, while a new article prohibited the parties from concluding secret pacts. Perhaps the most important change was the strengthening of the prohibition against the recognition of governments coming into power as a result of revolution. Under the supplementary convention of 1907, a government coming into office as a result of revolution or coup d'état might be recognized, provided the "freely elected representatives of the people had constitutionally reorganized the country." But Article II of the 1923 treaty provided that even in such a case no person elected as President, Vice President or Chief of State designate should be recognized:

(1) If he should be the leader or one of the leaders of a coup d'état or revolution, or, through blood relationship or marriage, be an ascendant or descendant or brother of such leader or leaders; (2) If he should have been a Secretary of State or should have held some high military command during the accomplishment of the coup d'état, the revolution, or while the election was being carried on, or if he should have held this office or command within the six months preceding the coup d'état, revolution, or the election.

Furthermore, in no case was recognition to be accorded to a government which arose from election "to power of a citizen expressly and unquestionably disqualified by the Constitution of his country as eligible to election as President, Vice President or Chief of State designate."

ARBITRATION PANEL REPLACES CENTRAL AMERICAN COURT

Instead of attempting to revive or amend the old Central American Court, the conference merely drew up a convention providing for the arbitration of questions which do not "affect the sovereignty and independent existence" of any of the parties by a tribunal of three judges, chosen *ad hoc* from a panel of thirty jurists. Each of the five Central American governments is to name six jurists on this panel, of which one is to be selected from a list submitted by the United States and one from a list submitted by a South American republic. When two of the Central American republics wish to arbitrate, each is to select from this panel one jurist apart from the jurists it has named.

In case the two governments are unable to agree on a third, the two arbitrators already chosen are to make the selection, or, if they are also unable to agree, he is to be chosen by lot.³⁵

Desiring to consolidate the Bryan peace commission treaties, made between the United States and Central America in 1913 and 1914, the conference concluded another convention,³⁶ which provided that when two parties had failed to adjust a controversy "originating in some divergence or difference of opinion regarding questions of fact, relative to failure to comply with the provisions of any of the Treaties or Conventions existing between them and which affect neither the sovereign and independent existence of any of the Signatory Republics, nor their honor or vital interests," they would institute a Commission of Inquiry, also selected from a panel of names. This commission was to investigate the facts and might recommend a solution.^{36a}

Although the Honduras initiative to revive the question of union failed, the conference did conclude agreements for extradition, the limitation of armaments, the establishment of permanent Central American commissions to study economic and social problems, the preparation of projects of electoral legislation, the unification of protective laws for workmen and laborers, the establishment of stations for agricultural experiments and animal industries, the reciprocal exchange of Central American students, the practice of the liberal professions, and the establishment of free trade.³⁷

DELEGATES PRAISE WORK OF WASHINGTON CONFERENCE

The work of the 1923 conference was praised by Sr. Sánchez Latour, delegate from

35. Convention for the Establishment of an International Central American Tribunal, February 7, 1923, *Conference on Central American Affairs*, cited, Appendix II, p. 296. This convention followed the remarks of Mr. Hughes, who declared, "... it is just as foolish to overshoot the mark as not to try to hit it at all. ... There are certain classes of controversies which lend themselves to ... settlement according to ... legal or equitable standards. There are other questions ... of such a political character, and do not lend themselves to any judicial or arbitrable standard, that it is necessary to have ... inquiry and conciliation." *Ibid.*, p. 176.

36. Convention for the Establishment of International Commissions of Inquiry, February 7, 1923, *ibid.*, p. 392.

36a. The United States was a party to this convention, but not to the treaty of general peace and amity and the convention providing for arbitration.

37. *Conference on Central American Affairs*, cited, p. 122. The free trade convention did not include Costa Rica.

Guatemala, who declared:

"There is no doubt whatsoever that the courteous invitation of the American Government . . . has been attended by complete success, and that because of those [treaties] signed today the fraternal and friendly relations between our peoples are drawn closer day by day, and with this is gained the goal which all Central Americans have sought, for thus our people are prepared in a definite manner for our supreme ideal, the Union of Central America on a stable, just, popular, and convenient basis."³⁸

Emiliano Chamorro, delegate from Nicaragua, added:

"Accustomed, also, to the noble and disinterested friendship of this great Nation [the United States], which has taken us to her bosom, we have not been surprised at the very active interest and the thoughtful tact with which her distinguished delegates have played a very important rôle in our deliberations.

"Nicaragua has already had for a long period a lasting and irrefutable proof of the value of that friendship. It would be unnecessary to repeat here its expressions of gratitude for the people of the United States of America, who have on so many occasions shown themselves to be the most zealous champions of our full sovereignty. . . ."³⁹

In his Philadelphia address on the Monroe Doctrine in November 1923, Mr. Charles Evans Hughes declared:

"It is not too much to say that if the treaties and conventions then formulated [at the Central American Conference] are ratified and carried into effect there will be no probability of further serious disturbances in Central America, and these Republics, favored with vast natural resources, will enter upon an era of tranquillity and will enjoy opportunities of almost unlimited prosperity. In promoting stability we do not threaten independence but seek to conserve it."⁴⁰

CENTRAL AMERICAN CRITICS ATTACK WASHINGTON AGREEMENTS

Despite this praise, the 1923 treaties were hotly debated in Central America, particularly in Salvador, Honduras and Costa Rica. After reviewing the intervention policy of the United States since the 1907 conference, critics declared that in failing to restore the Central American Court of Justice while at the same time strengthening the prohibitions against revolution, the 1923 treaty would simply increase the probability of

intervention by the United States in accordance with its "moral mandate" doctrine.⁴¹ Froylán Turcios, the well-known Honduran poet, was sweeping in his protests that these treaties were part of the interventionist policy of the United States. The arbitration and conciliation treaties concluded as a substitute for the 1907 court were regarded as particularly unsatisfactory. At the very time when the other nations of the world were abandoning the old Hague panel in favor of a permanent tribunal, the Central Americas, at the suggestion of the United States, deserted the permanent court idea in favor of a shifting panel. Such an institution would not develop Central American unity; and the fact that the United States would participate in nominating judges to the panel would increase outside interference. Moreover, while the 1907 convention provided for compulsory arbitration of all disputes, the 1923 agreements removed the obligation to arbitrate or even conciliate disputes affecting "honor" and "vital interests."⁴² Because of the "vital interest" reservation under the Commission of Inquiry agreement, either the United States or Nicaragua could prevent any other Central American government from bringing before a commission the Bryan-Chamorro treaty or any question affecting American policy.⁴³

An extreme statement of this view is as follows:

"The imperialism of Washington does not wish any more legal or juridical conflicts in Central America, after its disastrous experience with the Court of Justice; and to keep its hands free and to insure complete irreponsibility for its blunders, its attacks and its crimes in this region, it called a Central American conference of official simpletons, and has made them sign these treaties which protect against all judicial or legal action the pact made between the bandits of Granada and the filibusters of Washington, called the Bryan-Chamorro Treaty, and deprived them of moral or legal arms of defense. . . ."⁴⁴

41. Cf. Vicente Sáenz, *Norteamericanización de Centro América* (San José, Talleres de la Opinión, 1925). This book is a collection of newspaper articles attacking the 1923 treaties.

42. The very object of the Bryan peace commission treaties was to subject non-justiciable disputes to investigation.

43. A deputy in Costa Rica proposed that as a condition of ratifying the 1923 treaties, Costa Rica ask assurances that the rights of Costa Rica to the San José river, which were allegedly denied by the Bryan-Chamorro treaty, should be recognized. President Ricardo Jiménez declared that any such condition was unnecessary. *Diario de Costa Rica*, November 16, 1924.

44. Jacinto López, "La Conferencia Centroamericana en Washington," *La Reforma Social*, April 1923, Vol. XXV, No. 4, p. 291, 298.

38. *Ibid.*, p. 56.

39. *Ibid.*, p. 66.

40. Text in A. Alvarez, *The Monroe Doctrine* (Oxford University Press, 1924), p. 447.

Finally, the provision strengthening the measures against revolution were criticized. The Faculty of Jurisprudence of the National University of Salvador declared that this provision deprived the country of the right of insurrection, which was guaranteed in the constitution.⁴⁵ Others added that the approval of these recognition principles would simply strengthen every unrepresentative government in Central America, and *Chamorrize* the entire isthmus. Indeed, it was for this reason that the governments desired the acceptance of the treaty.⁴⁶

Despite these criticisms, the principal conventions of the 1923 conference were ratified.⁴⁷ Nicaragua was the first to take

favorable action and was followed by Salvador and Guatemala. Salvador, however, declined to approve the conventions establishing the new Central American Tribunal and the International Commissions of Inquiry.

In Costa Rica President Ricardo Jiménez made the acceptance of these treaties by Congress a personal issue, and the majority were finally ratified in November 1924.⁴⁸

In Honduras the treaties brought forth such criticism that no action was taken on them before the 1924 revolution.⁴⁹ But following this revolution and the "intervention" of the United States they were ratified.

APPLICATION OF THE 1923 RECOGNITION TREATY

Shortly after the conclusion of the Washington conference an election campaign was launched in Honduras. As a result of a split in the Liberal party three candidates appeared and fears were expressed that, in view of the troubled history of the country, revolution would occur. On June 30, 1923 Secretary of State Hughes sent a formal warning to Honduras that:

"The Government of the United States repeatedly having counselled, but without avail, that an agreement should be reached between all the Honduran presidential candidates that would avert revolution and its resultant disruption, desires once more to emphasize the grave situation in which Honduras will be placed if some satisfactory settlement to this end is not reached. . . .

"The Government of the United States is at all times ready to assist, along constructive lines of development. It is now ready to render all possible proper assistance in the present crisis. It is of the firm opinion, however, that improvement in the present economic situation of Honduras, which the citizens of both countries so ardently desire, can only be continued upon the basis of political peace and quiet in the country, and attained by the agreement of all parties to abide by the results of free and fair elections and the most efficient administration of the country's finances.

"The Government of the United States, therefore, bespeaks the most earnest attention to these politico-economic considerations which are of paramount importance. It entertains no preference as between parties or candidates, it will exert influence neither for nor against any candidate, but it is ready to afford cooperation, assistance and support to any government elected as the expression of the will of the Honduran electorate through the medium of free and fair elections.

"... the responsibility for the disorganization, misery and sacrifice of economic stability must be borne by those who for any motives are unwilling to reach an amicable settlement of their political differences.

"The attitude of the Government of the United States with respect to the recognition of new Governments in the five Central American Republics whose representatives signed at Washington on February 7, 1923, a general Treaty of Peace and Amity . . . will be consonant with the provisions" of the 1923 treaty.⁵⁰

of Tinoco for which the United States was indirectly responsible. Cf. Buell, "The United States and Central American Stability," cited, p. 182.

47. Cf. *Appendix*, p. 204.

48. Before the World War, Jiménez was noted for his "anti-Americanism, but recently he has gone to the opposite extreme." Cf. his speech criticizing the United Fruit Company and the "Imperialism" of the United States in 1907 and 1908. (Alfredo Sáenz, *Contratos y Actuaciones de las Compañías del Ferrocarril de Costa Rica, la Northern Railway Co. y la United Fruit Co. en Costa Rica*, San José, "La Tribuna," 1929, p. 181, 204, 211.) The change in attitude of Jiménez is attributed to a number of causes. Some Costa Ricans assert that there was some irregularity about his election in 1923, and that in return for recognition by the United States he agreed to accept the Washington treaties.

49. Cf. *Diario del Salvador*, April 20, 1923; *Hispano-América* (Tegucigalpa), April 1, 1923 and following dates.

50. In a declaration of July 10, 1923 the United States also stated: "The limited period during which the usurper Tinoco was able to hold power in Costa Rica after President Wilson refused to recognize his régime, shows the beneficial influence of this policy of non-recognition. In such cases, it is better to endure the temporary disadvantages of non-recognition than to have an illegitimate government aided in disregarding the peoples' rights through the endorsement of the Government of the United States." Chandler P. Anderson, "The Central American Policy of Non-Recognition," *American Journal of International Law*, January 1925, p. 166.

45. Laudelino Moreno, *Historia de las Relaciones Interestatales de Centroamérica* (Madrid, Compañía Ibero-Americana, 1928), p. 432.

The government denied this contention on the ground that the treaty merely prohibited the actual recognition of leaders of the revolution, which was not the same as prohibiting the right of insurrection. Cf. Salvador, *Memoria, Relaciones Exteriores*, 1927, p. 11.

46. At the time of the 1923 conference, the government of Nicaragua was being kept in power by American marines, the Orellana government in Guatemala in a sense owed its existence to the State Department, the Meléndez autocracy in Salvador had just accepted American financial control, and the Acosta government in Costa Rica had resulted from the overthrow

ELECTION CRISIS IN HONDURAS

These warnings of the United States brought forth a protest from a local review, *Hispano-América*, edited by Froylán Turcios, which declared that "Honduras is a free, sovereign and independent country." Furthermore, it contended that since Honduras had not yet approved the 1923 treaties,⁵¹ these treaties could not legally be applied.

None of the three candidates proved willing to withdraw, and as a result of the elections of October 1923 the Conservative, General Tiburcio Carías, received 49,953 votes; the Liberal vote was divided between Dr. Bonilla, 35,474, and Dr. Arias, 20,839, making a total vote of 106,266.⁵² While Carías received a plurality, he did not receive the absolute majority required by the Constitution and the election was thrown into Congress. This body, controlled by the Liberal party, failed to agree on a candidate. The Carías and Arias factions finally compromised upon a Conservative, Paz Barahona, but Carías refused to accept this plan.⁵³ In December Froylán Turcios, Mejía Colíndrez and others organized a *Junta Patriótica*, the purpose of which was to induce the three candidates to agree upon a solution in order to "defend the sovereignty of Honduras" against the threatened intervention of the United States in case of revolution.⁵⁴ Neither Carías nor Arias accepted the proposals of the *Junta*, and on December 27 President López Gutiérrez declared martial law.

On January 31, 1924, the last day of his administration, President López Gutiérrez established a dictatorship. He pointed out in a decree that Congress had failed to elect a President or Vice President, and that there was no one to assume the presidential office. Consequently, until a Constitutional Assembly could establish a new régime, he would assume full power, the Constitution remaining suspended. He asked foreign governments to continue relations.⁵⁵

51. *Hispano-América*, September 15, 1923.

52. *Renacimiento*, November 30, 1923.

53. *Current History*, February 1925, p. 766.

54. *Hispano-América*, December 15, 1923.

55. For the decree and a detailed history of this period, cf. Mario Ribas, "Diario Completo de la guerra de 1924 en Honduras," *Renacimiento*, May 25, 1927; J. López, "El Caos de Honduras," *La Reforma Social*, Vol. 28 (1924), p. 291; and "Honduras sin gobierno," *ibid.*, Vol. 29 (1924), p. 17.

CONSERVATIVE REVOLT
AGAINST LOPEZ GUTIERREZ

The Conservatives (or Blues) led by Generals Carías, Tosta, Martínez Funes and Ferrara now organized a revolt. They charged that Carías had been kept from the presidency because of fraud and that López Gutiérrez, in order to remain in power, did not wish to have a successor chosen. Instead of establishing a dictatorship, he should have transferred power to a three-party cabinet, they declared. On February 13 the American Minister, Franklin E. Morales, notified President López Gutiérrez that the United States had suspended relations with him on the ground that his continuance in office was illegal.⁵⁶ American cruisers now dropped anchor at Amapala on the west coast and at Puerto Cortés on the north. Marines were landed at La Ceiba on February 29 and a neutral zone was established at Puerto Cortés; the headquarters of the Cuyamel Fruit Company, on March 6.⁵⁷ Nevertheless, the revolution made progress and soon the whole of the north coast, except the areas occupied by American marines, were in its hands. As the possibility became imminent that the revolutionists would attack Tegucigalpa, the capital, the diplomatic corps attempted to mediate. On March 4 it asked the government to negotiate with the revolutionists to keep fighting outside the capital, or to surrender power to a Council of Ministers who had the confidence of the country. When the government rejected this proposal, the diplomatic corps suggested the establishment of a neutral zone in Tegucigalpa in which the foreign population and native civilians might be sheltered and which should be policed by American marines. The representative of Mexico, however, declared against this proposal, saying that his government opposed foreign intervention.⁵⁸ The American Minister now asked

56. The Department actually broke off relations on February 5, but Morales did not notify López Gutiérrez until a week later. Some Hondurans state that López Gutiérrez believed that he would have the support of the United States.

57. *Current History*, April 1924, p. 125. Altogether, marines were landed on four occasions in February (United States, *Report of the Secretary of the Navy*, 1924, p. 48). While in the case of Honduras these marines came from the scouting fleet, as a rule work of this sort is performed by the Special Service Squadron, which was created in 1920, and which is based at Panama. (*Ibid.*, 1920, p. 35.) In 1924 the Secretary of the Navy reported: "As in previous years the Special Service Squadron performed valuable service in protecting American interests in Mexico and Central America and in tending to stabilize political situations in Central American ports when outbreaks appeared imminent." (*Ibid.*, 1924, p. 73.)

58. *Renacimiento*, cited, May 25, 1924, p. 26.

that 125 marines be sent to Tegucigalpa, but they were re-embarked when, at the request of the diplomatic corps, the revolutionists under General Ferrara agreed to a seventy-two hour armistice to negotiate a settlement. Ferrara agreed to make peace provided López Gutiérrez surrendered the Plaza at Tegucigalpa, appointed a tri-party cabinet, and made him Commander-in-Chief. Following the death of López Gutiérrez on March 10, the government was taken over by a Council of Ministers who refused to accept the terms of the revolutionists.

SALVADOR PROPOSES A PEACE CONFERENCE

Apparently hoping to prevent North American intervention, President Quiñónez of Salvador, in agreement with Guatemala and Nicaragua, next invited both parties to the revolution, either alone or with the United States, to a peace conference at Amapala. The United States apparently did not encourage the idea;⁵⁹ and General Ferrara, while agreeing to go to Amapala, demanded that his troops be first allowed to occupy the Tegucigalpa Plaza—a condition which was unacceptable to the government *junta*.

As the end of the armistice approached, the diplomatic corps on March 13 sent another memorandum to the Council of Ministers declaring that it was the duty of the corps, for humanitarian reasons, to make the government realize the gravity of the situation and the magnitude of the catastrophe which would result from the bombing of Tegucigalpa by the revolutionists. "Think well of the consequences and the responsibilities before the world and before history, and after meditating deeply, decide what is most convenient." The government declined, however, to resign in favor of the revolutionists. While they did not yet attack the capital, apparently out of respect for the diplomatic corps, the revolutionists maintained such an effective blockade that Tegucigalpa was threatened with famine. In view of the imminence of attack, the American Minister sent for a detachment of marines from the *U.S.S. Milwaukee*; and these marines—about 200 in all—were transported

from San Lorenzo in trucks loaned by the revolutionists! The Council of Ministers vigorously protested against the arrival of the marines. They came "without the request and without the authorization" of the government; their arrival was "considered as an affront to the sovereignty and independence of the country" and caused "profound disgust." To avoid acts of hostility they should be immediately withdrawn.

THE UNITED STATES INTERVENES

By this time all of the country was in the hands of the revolutionists except Chalcuteca and Tegucigalpa. On March 28 General Ferrara, the revolutionary leader, again declared to the American Minister that he would not attack the capital provided the government surrendered the Plaza to his troops. Another effort at mediation by the diplomatic corps proved unsuccessful. On April 6 Tegucigalpa was bombarded by an aeroplane piloted by two American aviators in the service of the revolutionists. This bombardment, following an outbreak of typhus, caused a panic, and led to a further effort of the diplomatic representatives to restore peace. On April 15 Mr. Sumner Welles, a special representative of the American government, arrived in Tegucigalpa; shortly thereafter both parties agreed to participate in a peace conference at Amapala with representatives of the Central American republics and the United States. No armistice was declared, however, and on April 28, while the conference was in the midst of its deliberations, the revolutionists captured Tegucigalpa, causing the army and officials of the dictatorship to take flight. In the view of some participants, there was no need for continuing the Amapala conference after this decisive victory. Nevertheless, four and a half hours after the victory, an agreement was signed on the *U.S.S. Denver* off Amapala which was converted into a definite treaty on May 3. According to the terms of this agreement, the Council of Ministers was to withdraw in favor of General Tosta who was to become Provisional President until a new candidate could be elected. President Tosta was to convene a constitutional convention, issue an amnesty decree, and distribute government

⁵⁹ Salvador, Memoria, *Relaciones Exteriores*, 1925, p. 4; *Renacimiento*, cited, p. 50.

positions equitably. The representatives of the four Central American republics and the United States signed this agreement, together with the two Honduran factions, as a "moral guarantee of its fulfillment." A few days previously (April 30) the American marines had left Tegucigalpa and one of the most disastrous civil wars in Honduran history, destroying \$20,000,000 worth of property, came to an end. Had the diplomatic corps kept its hands off, the revolution might have been terminated much sooner.

Commenting on this "mediation" or "intervention" of the United States, a well-known Central American journalist, Mario Ribas, writes:

"It is a sad truth that the mediation of the United States, if it had to come, did not take place three or four months earlier, before the loss of some thousand Honduran lives and the destruction of property valued at several million pesos. In 1919 the United States intervened only a month after the revolution had commenced, and long before Tegucigalpa was threatened by the revolutionary forces or one-tenth of the blood which this time has flowed. It intervened, we say, and obliged the then President of the Republic, Dr. Francisco Bertrand, to surrender the power to the Revolution. And clearly Dr. Bertrand was a constitutional President, legally constituted and recognized by foreign governments. Dr. Bertrand presided over a government which lacked about six months to complete its constitutional term. . . ."⁶⁰

"In view of this precedent, many were of the opinion in Central America that if the United States had to intervene in Honduras in 1924 the mediation should have been before the war was over, since the war was made against a régime very distinct from the constitutional régime of President Bertrand; it was made against a Dictatorship with which the North American government itself had had broken diplomatic relations since February 5."⁶¹

Mario Ribas declared that had the United States supported the Salvador mediation proposal, peace would have been restored in the first days of March, thus avoiding bloodshed. However, such a conference was held, under the auspices of the United States, at the end of April, a "treaty of peace being concluded when the war had already terminated."⁶²

The State Department announced that it would treat with General Tosta, who took office in May, "unofficially as the Provisional Government of Honduras."⁶³ One of President Tosta's first acts was to convene a constitutional assembly which promulgated a new constitution on October 15, 1924.⁶⁴

UNITED STATES VETOES CANDIDACY OF CARIAS

General Tiburcio Carías, Conservative candidate at the previous election and one of the revolutionary leaders, now announced his candidacy for President. On July 3 the American Minister sent a note to the Honduran Minister of Foreign Affairs, declaring that the American government "has been most concerned to learn that certain leaders of the recent revolution are apparently still endeavoring to promote their candidacies for the office of Constitutional President." He intimated that, if successful, such leaders would not be recognized because of the 1923 recognition treaty. "The Government of the United States feels that the stability of republican institutions in Honduras is now on trial before the world, and it earnestly hopes that the political leaders of the Republic will demonstrate the capacity of the Honduran people for the settlement of the situation brought about by the recent revolution through free and fair elections and by an observance of the rules" established in the 1923 treaty. This opposition to Carías by the United States was criticized on the ground that the recent revolution had not been against a "recognized Government," but against the López Gutiérrez dictatorship with which the United States had severed relations. The State Department declined to accept this interpretation, and instead of attempting to resist the wishes of the United States, as did Chamorro the next year in Nicaragua, Carías withdrew.⁶⁵ The Conservatives now named as their candidate Dr. Paz Barahona, who had been Carías' running mate in the previous year. Dr. Barahona received 72,021 out of

63. *Current History*, July 1924, p. 665.

64. *Constitución Política y Leyes Constitutivas de la República de Honduras, Tegucigalpa, 1925*. Unlike the constitution of 1894 this constitution does not provide that the President must be elected by absolute majority (Art. 109).

65. "La Renuncia que de su candidatura a la Presidencia de la República ha hecho el Señor Gral. Don Tiburcio Carías ante la Hon. Convención del Partido Nacional," *Reconciliación*, Tegucigalpa, November 28, 1924.

60. Buell, "The United States and Central American Stability," cited, p. 184.

61. Mario Ribas, *Renacimiento*, cited, p. 63.

62. *Ibid.*, p. 60.

78,491 votes.* In other words, the revolutionary party won the election, although their outstanding leader was prevented from becoming President. Following the approval of Barahona's election by the Assembly, Mr. Lawrence Dennis, American chargé, declared on January 20, 1925:

"The Government of the United States is gratified that it has been possible to reach a solution of the problem of establishing in Honduras a constitutional government with which the Government of the United States and those of the other Central American republics can maintain cordial relations without inconsistency with the provisions of the General Treaty of Peace and Amity. . . . The Government of the United States contemplates with pleasure the resumption of formal relations with the Government of Honduras upon the inauguration on February 1 of the new constitutional authorities."⁶⁶

GENERAL FERRARA'S REVOLT AND AMERICAN OPPOSITION

In the meantime, one of the leaders of the revolution, General Ferrara, did not look with favor upon the Amapala settlement. In August 1924 he led a revolution against Provisional President Tosta, which caused the United States to land a hundred marines at La Ceiba.⁶⁷ Although this revolt was suppressed in October,⁶⁸ Ferrara again took up arms in February 1925. These revolts threatened to overturn the settlement at Amapala, just as the subsequent revolt of Sandino threatened to overturn the Stimson

agreement in Nicaragua.⁶⁹ Consequently, the United States came to the aid of the constituted authorities.⁷⁰ Thus, in February 1925 it approved the request of the Barahona government to purchase 3,000 American military rifles, 2,000,000 rounds of small arms ammunition and 20 machine guns.⁷¹ Thus aided, the Honduran government was able to suppress Ferrara without more active military assistance from the United States, such as was later given to the Nicaraguan government.⁷²

Following these revolutions, in February and March 1925 the Honduran government ratified the 1923 treaties which the United States had already applied.⁷³

Since the Carías revolution of 1924 there have been two presidential elections in Honduras. These elections have been regarded as fair, and until recently the country has remained at peace, despite the fact that the control over the Congress is closely contested between Liberals and Conservatives.⁷⁴

Nevertheless, in April 1931 another revolt, again led by General Ferrara, occurred. The State Department ordered the *U.S.S. Memphis* to Honduran waters, but announced that "the American forces will limit themselves to making provision for the safety of American lives and property in the coast towns."⁷⁵

This policy is in striking contrast to the "mediation" of the United States in the Honduran revolutions of 1911 and 1924.

THE CHAMORRO COUP IN NICARAGUA

A few months after the inauguration of President Barahona in Honduras, General Emiliano Chamorro executed a coup d'état in Nicaragua, as a result of which President Solórzano resigned on March 14, 1926.⁷⁶ Despite the warnings of the United States that Chamorro could not be recognized because of the 1923 treaty, he held the office

of *de facto* President until the following November. Neither the United States nor any of the Central American republics extended recognition to Chamorro during this period. Chamorro being regarded as ineligible, the question of the "constitutional" successor to President Solórzano arose. The Liberals contended that under the Constitution it should be Juan B. Sacasa, who had been elected Vice President with Solórzano. Nevertheless, partly as a result of American pressure, the Nicaraguan Congress on No-

66. *Current History*, March 1925, p. 92.

67. *Ibid.*, p. 933.

68. On September 10. *Ibid.*, November 1924, p. 26.

69. Message of Provisional President Tosta, *La Gaceta*, January 2, 1925.

70. Raymond Leslie Buell, "Reconstruction in Nicaragua," *F. P. A. Information Service*, Vol. VI, No. 18, November 12, 1930, p. 335.

71. Cf. *Renacimiento*, cited, June 30, 1925, p. 5.

72. *Current History*, April 1925, p. 118.

73. Buell, "Reconstruction in Nicaragua," cited, p. 336.

74. *Tratado y Convenciones de Washington de 1923*, Edición Oficial, República de Honduras, 1927.

75. "Unrest in Central America," *F. P. A. News Bulletin*, January 9, 1931. Cf. also Buell, *The Central Americas*, cited, p. 6.

76. State Department, *Press Releases*, April 25, 1931, p. 312. In July General Ferrara was killed. Cf. *La Prensa* (New York), July 2, 1931.

77. Buell, "Reconstruction in Nicaragua," cited, p. 319.

vember 10, 1926 elected as first designate Adolfo Díaz, who had been President at the time of the conclusion of the Bryan-Chamorro treaty. Díaz was inaugurated President on November 14; three days later he received State Department recognition. This recognition was criticized on two grounds: first, that it was premature; second, that Díaz was ineligible to recognition under the 1923 treaty inasmuch as he was a blood uncle of one of the leaders of the Chamorro coup d'état against Solórzano—namely, Humberto Pasos Díaz.

A contest now took place between Díaz, backed by the United States, and Sacasa, who established a government at Puerto Cabezas in December 1926, both seeking foreign recognition. Having recently experienced the "mediation" of the United States in its affairs, the government of Honduras promptly extended recognition to Díaz. The government of Salvador⁷⁸ also recognized Díaz on November 18, 1926, justifying recognition on the ground that it was the only way to secure the pacification of Nicaragua.⁷⁹

MEXICO RECOGNIZES THE SACASA GOVERNMENT

On the other hand, the government of Mexico recognized Sacasa on December 8, 1926.⁸⁰ While neither Guatemala nor Costa Rica recognized Díaz, they declined to recognize Sacasa. On December 9, 1926 representatives of Sacasa asked President Ricardo Jiménez of Costa Rica for recognition. On December 13 he replied that he would like to recognize any Nicaraguan government which maintained effective political control and satisfied the requirements of the 1923 recognition treaty, "but so long as the present unfortunate circumstances exist, the at-

titude of my Government will be that of not granting recognition to anyone and thus observing the most complete neutrality. . ." in view of the desire of Costa Rica to follow the policy of non-intervention prescribed in the 1923 treaty.

"Without pretending to erect its government into a tribunal of last instance, on the correct interpretation of the Treaty, and until there is by mutual agreement of the signatories, or by an arbitral decision, a higher interpretation, it cannot be guided except by what, after a mature examination, it believes to be proper, according to the terms and the spirit of the 1923 treaty." In his opinion, "that which in Managua lacks title, in Puerto Cabezas lacks the necessary possession of the territory of the Republic; and until title and possession are united, we can only conserve an expectant attitude with the hope that it will not be arms which will return to Nicaragua the peace and normality of its Government."⁸¹

NICARAGUA REFUSES CENTRAL AMERICAN MEDIATION

Nevertheless, in January 1927, both Costa Rica and Guatemala proposed mediation to restore peace in Nicaragua.⁸² While Sacasa accepted both offers, Adolfo Díaz, following his 1912 policy, rejected Central American mediation in favor of support from the United States.⁸³ In a communication of January 25, 1927, Carlos Cuadra Pasos, his Foreign Minister, declared that Díaz had been elected by Congress and that his authority had been sanctioned "by the recognition of the Government of the United States, which has been a patron of the treaties of 1923. . . ." Consequently, it would be beneath the dignity of the Díaz authorities to enter a conference on the same par with revolutionists. Nevertheless, the Díaz government appreciated the "fervid Central Americanism" of José Matos, the Guatemalan Foreign Minister.⁸⁴ As a result of Díaz' attitude, the Guatemalan government withdrew its Minister from Managua.⁸⁵

Meanwhile, at a conference called at Corinto under the auspices of the United States, the Conservatives rejected the proposal of the Liberals to arbitrate the question of who

78. Honduras, Memoria, *Relaciones Exteriores*, 1927-1928, p. 12.

79. Salvador, Memoria, *Relaciones Exteriores*, February 1927, p. 9. In a note of January 9, 1926, Salvador had warned that it could not recognize Chamorro because of the 1923 treaty. *Ibid.*, p. 6.

80. The text of the note is found in *Renacimiento* (Tegucigalpa), December 30, 1926, p. 17. In this note, signed by Aaron Sáenz, Foreign Minister, the Mexican government declared that it had refused to recognize Chamorro since the "Government of Mexico followed the resolution of not recognizing Governments which are the result of violence." The note did not mention the 1923 treaty. A few months previously Mexico had raised its diplomatic representative in Guatemala to the rank of Ambassador. Guatemala responded with similar action in the case of its representative to Mexico. The Mexican government declared that its action was prompted by a desire to demonstrate its solidarity not only with Guatemala but with the rest of Central America. (Estados Unidos Mexicanos, *Boletín Oficial de la Secretaría de Relaciones Exteriores*, Vol. XLVIII, September 1926, p. 9.)

81. Costa Rica, Memoria, *Relaciones Exteriores*, 1926, p. 71.

82. *Current History*, March 1927, p. 875. Much of the popular hostility in Central America against the American intervention was due to the Honduran publication, *Revista Ariel*, edited by Froylán Turcios.

83. Cf. p. 199.

84. An English translation of this note appears in Cox, *Nicaragua and the United States*, cited, p. 875.

85. Guatemala, Memoria, *Relaciones Exteriores*, 1926, p. 4.

was entitled to be President. In support of his contention, Díaz invoked the statement of the American chargé, Lawrence Dennis, who had explained that the United States would not consider arbitrating an internal political dispute.⁸⁶ Nevertheless, it may be contended that in the case of the Central American republics the determination of who is eligible for office in these countries had ceased to be an internal question, inasmuch as it was now controlled by the 1923 treaty. The interpretation of any treaty is regarded as a subject generally suitable to arbitration.⁸⁷

President Díaz now proposed the conclusion of a "treaty of alliance" between Nicaragua and the United States just as he had done under similar circumstances in 1912.⁸⁸ Moreover, at the request of Díaz, the United States intervened at Tipitapa in May 1927. Unlike its policy at the Amapala conference, which attempted to end the civil war in Honduras, the United States did not invite the Central American states to assist in the Tipitapa mediation. As a result of the Tipitapa agreement, President Díaz continued in office until after the 1928 presidential election. To insure that the election would be fair, the United States agreed to supervise it and maintain order.⁸⁹ As a result of the election, General Moncada, one of the leaders of the revolution against Chamorro and Díaz, was elected. Despite the fact that Moncada had been at the head of Sacasa's armies, the State Department immediately recognized him on the ground that the new President would not come into power as a result of revolution but of an election held by the Díaz government.

SALVADOR INITIATES TRIPARTITE AGREEMENT

During the early period of the Nicaraguan intervention, the government of Salvador departed from its past devotion to Central Americanism, even going so far as to recognize Adolfo Díaz.⁹⁰ This shift in attitude was

in part attributed to the fact that Salvador was ruled by the Meléndez dynasty,⁹¹ which had strengthened its internal position by accepting an American loan. With the succession of President Romero Bosque, who came into power in March 1927, a change in sentiment seemed to occur. The President appointed as Minister of Foreign Affairs Dr. Gustavo Guerrero, a jurist and diplomat who had represented Salvador at the League of Nations.⁹² One of his first acts was to call a meeting of the Ministers of Foreign Affairs of the three countries north of Nicaragua. This meeting was regarded by the American State Department as an attempt to mediate in the Nicaraguan situation and consequently was not looked upon with favor. Nevertheless, on May 25, 1927 the Foreign Ministers of Salvador, Honduras and Guatemala signed an agreement which declared that it was a necessity of foreign policy in these countries to work together in the solution of problems affecting the general interests of Central America. Among the questions affecting these general interests were:

- (1) The recognition of a new government in virtue of general treaties; (2) declarations of war; (3) differences which arise out of questions foreseen in international treaties signed by the contracting parties; (4) questions arising whenever any contracting party concludes an agreement with a nation foreign to Central America upon matters which may affect the aspirations of the people for the establishment of Central American nationality.

If a question arises affecting any of the above subjects, each contracting government may invite the others to exchange ideas or impressions.⁹³ Moreover, annual meetings of the Foreign Ministers of the three countries are to be held.

Thus the purpose of this agreement was to insure a common understanding on the application of the 1923 recognition treaty and the attitude to take toward such agreements as the Bryan-Chamorro treaty. Immediately after this conference, the Guatemalan Foreign Minister, José Matos, was removed from office;⁹⁴ and although the agreement was ratified it does not seem to have been carried into effect.⁹⁵

86. Cf. the statement of President Díaz, *New York Times*, January 12, 1927; also Cox, *Nicaragua and the United States*, cited, p. 877.

87. Cf. Article 13, paragraph 2, League Covenant; Article 36, Statute of the Permanent Court of International Justice.

88. For the text, cf. Cox, *Nicaragua and the United States*, cited, p. 870.

89. Raymond Leslie Buell, "American Supervision of Elections in Nicaragua," *F. P. A. Information Service*, Vol. VI, No. 21, December 24, 1930.

90. Cf. p. 193.

91. "Progress in Central America," *F. P. A. News Bulletin*, Vol. IX, No. 39, August 1, 1930.

92. Dr. Guerrero was elected president of the Assembly in 1929, and a judge of the Permanent Court of International Justice in 1930.

THE SECOND ORELLANA REVOLT—1930

The most recent case of the application by the United States of the 1923 recognition treaty came during the Guatemalan revolution of December 1930. At this time President Lázaro Chacón⁹³ was stricken with a cerebral hemorrhage, and physicians signed a statement declaring that he was incapacitated for his official duties. On December 12 the Council of Ministers asked Baudilla Palma, who had been second designate, to become Acting President. The Guatemalan Assembly approved this appointment by a vote of 45 to 18 on the same day.⁹⁴ Meanwhile some Liberals issued a manifesto declaring that the Council of Ministers did not have the power to name an Acting President, but that this should have been done by Congress. They also declared that in naming Baudilla Palma the Council of Ministers had attempted to turn the country over to the Conservatives and confront Congress with a *fait accompli*;⁹⁵ and in accepting authority Palma had committed the equivalent of a coup d'état. On December 16 General Manuel Orellana, acting for a *junta* of Generals, declared that "in defense of the institutions of the country" the army would not recognize Palma and that until the constitutional régime was restored, the *junta* headed by Orellana would assume control. On the same day, Colonel Aguilar Bonilla led a military detachment from the Matamoros fortress against Baudilla Palma. In the fighting that occurred, about fifty persons, including Colonel Aguilar and General Mauro de León, were killed.

93. San Salvador, *Convenio Celebrado entre El Salvador, Guatemala y Honduras*, Publicación del Ministerio de Relaciones Exteriores, May 23-28, 1927.

94. G. Martínez Nolasco, *El Movimiento Armado de Diciembre, 1930* (Guatemala City, 1931), p. 50.

95. For Guerrero's stand against the United States at the Havana conference of 1928, cf. "The Sixth Pan-American Conference, Part I," F. P. A. *Information Service*, Vol. IV, No. 4, April 27, 1928; also *Una Idea, Un Pueblo, y Un Hombre, El Salvador en La VI Conferencia Panamericana* (San Salvador, 1928).

96. Lázaro Chacón succeeded Orellana, who mysteriously died in September 1926. Elections were subsequently held, and Chacón was elected President for a term of six years, beginning March 15, 1927. Cf. Villacorta, *Curso de Historia de la América Central*, cited, p. 302; also Nolasco, *El Movimiento Armado de Diciembre 1930*, cited, Chapter I.

97. For decree 1678, of December 12, 1930, cf. *El Guatemalteco*, January 29, 1931, Vol. CXXVIII, No. 57.

98. Cf. statement of General Manuel Orellana to the Associated Press, *New York Times*, December 21, 1930. It was also contended that General Mauro de León, Secretary of War, who had been first designate, should have succeeded Chacón. In reply it was pointed out that the positions of Minister of War and first designate were incompatible under the Constitution. In a letter of November 4 to the Legislative Assembly, de León announced that he had been appointed Minister of War, and that consequently his position of first designate "ceased." *Nuestro Diario*, December 13, 1930.

UNITED STATES REFUSES TO RECOGNIZE ORELLANA

Thus intimidated by the military movement, Baudilla Palma promised to resign if a new examination showed that Chacón's health made it impossible for him to continue in office. A report from physicians representing Baudilla Palma, Orellana and the Assembly declared that Chacón was seriously ill, and at Chacón's request Baudilla Palma presented his resignation on December 17.⁹⁹ On the same day the Assembly enacted a decree entrusting the presidency to Orellana during Chacón's illness. On December 30 it was announced, however, that the State Department at Washington had notified Orellana that he would not be recognized by the United States in view of its support of the 1923 Central American recognition treaty.¹ Following this statement, General Orellana resigned. On December 31 Dr. José María Reyna Andrade was elected first designate by the Assembly.² He was recognized by the United States on January 8.³ Upon becoming Provisional President, he called elections for the following February. At this election there was only one candidate—General Jorge Ubico, the opponent of Chacón in the 1926 elections who now represented a coalition of Liberals and Progressives. The Conservatives refused to enter a candidate, charging that Reyna Andrade had purposely fixed the election at an early date to prevent the organization of the Opposition.⁴ Some observers believe that it was the refusal of the United States to extend recognition that caused Orellana, the leader of the revolt, to withdraw. Others state that he withdrew for purely domestic reasons.⁵

99. Decree 1682, December 17, 1930, *El Guatemalteco*, January 30, 1931, No. 58.

1. *New York Times*, December 31, 1930; Associated Press dispatch, *New York Herald Tribune*, December 31, 1930. The State Department releases did not publish this statement, and apparently it was made unofficially. On December 15 President Hoover, in reply to a telegram from Baudilla Palma, wished him success "in the high office which has been thus confided to your hands." State Department, *Press Releases*, December 20, 1930, p. 453.

2. *El Guatemalteco*, February 3, 1931, No. 61.

3. State Department, *Press Releases*, January 10, 1931, p. 21.

4. United Press dispatch, *New York Herald Tribune*, February 15, 1931.

5. Nolasco, *El Movimiento Armado de Diciembre, 1930*, cited. This pamphlet does not mention the notification of the United States.

CONCLUSION

Since the judgment of the Central American Court of Justice in the case of Honduras against Salvador and Guatemala in 1908, there have been no wars between two or more Central American Republics.⁶ War has been threatened several times, but peace has been maintained usually following a warning from the United States that unless the dispute were settled by peaceful means American intervention might be necessary.⁷ During recent years, the United States repeatedly has offered its good offices in disputes — principally over boundaries — between the Central American republics. These offers have as a rule been accepted.

A second object of the 1907 and 1923 treaties has been to prevent the support frequently given by one Central American government to revolution in a neighboring country. To a certain extent this aim has been realized. The activities of émigrés seem to have declined; and while during the Tinoco régime Costa Rican émigrés organized a revolution in Nicaragua, the Central American governments do not seem to have extended support or protection to revolutionists to nearly the same degree that they did fifteen years ago. For this progress the 1907 and 1923 treaties, as applied by the United States, may deserve some credit. Perhaps an equally valid explanation is to be found, however in the fact that with the gradual replacement of dictators by democratic governments, based on the principle of free elections and a free press, the reason for the existence of émigrés has declined.⁸

THE WASHINGTON TREATIES
FAIL TO PREVENT REVOLUTION

A third object of the 1907 and 1923 treaties has been to suppress revolutions.

6. Diplomatic relations between Panama and Costa Rica, however, were suspended between 1921 and 1928 over a boundary dispute. Cf. footnote 7.

7. In 1921 the United States ordered 400 marines to Panama, following which the local government allowed Costa Rica to occupy territory which had been in dispute. Although Panama is not in Central America, strictly speaking, the case illustrates past State Department policy toward Central America generally. (Cf. Agnes Waddell, "Unsettled Boundary Disputes in Latin America," *F. P. A. Information Service*, Vol. V, No. 26, March 5, 1930, p. 493.) Recent reports indicate that Panama and Costa Rica will resume negotiations looking to a settlement of this boundary question. Cf. "La Cuestión Fronteriza," *Panama-América*, March 18, 20, 1931.

8. It is of some significance that the most dictatorial government in Central America today is that of President Moncada, and that there seem to be more émigrés from Nicaragua than from any other Central American country. Cf. Buell, *The Central Americas*, cited, p. 9.

This object has not been entirely achieved. There were revolutions in Nicaragua in 1909 and 1912, and in Honduras in 1911. The Tinoco coup d'état occurred in Costa Rica in 1917; in Guatemala, Estrada Cabrera was overthrown in 1920 and Herrera in December 1921, while the Orellana coup occurred in December 1930. Between 1924 and 1927 both Honduras and Nicaragua underwent perhaps the most severe revolutions in their histories, while another revolution took place in Honduras in 1931. The two countries in Central America which have remained free from serious internal disorder since 1923 have been Salvador and Costa Rica. But inasmuch as Salvador has not experienced a successful revolt since 1894, and Costa Rica, except for the Tinoco revolt of 1917, since 1870, the 1923 treaty can hardly be given credit for the stability in these two countries.

The revolutions in Central America have been of two types. In the first type, the revolutionists have violated the existing constitution in establishing their authority, as in the case of the Tinoco revolt of 1917. In the second type, the revolutionists have scrupulously observed existing constitutional forms. Thus, in the 1930 coup in Guatemala, Baudilla Palma resigned and Orellana was appointed his successor in accordance with the provisions of the Guatemalan Constitution. Nevertheless, the resignation of Baudilla Palma was prompted by a military movement. Under this type of circumstance, it is sometimes difficult to determine when an actual coup d'état or revolution takes place. For example, if a President resigns following the mere threat of opposition leaders to use force, has a coup d'état occurred? and should recognition be denied to such leaders upon their assumption to power in accordance with constitutional forms?

While upon certain occasions the United States, whether by withholding recognition or by more active "mediation" or "intervention," has prevented revolution from running its course and sooner or later has contributed to the overthrow of the revolutionists, as in the case of the Tinocos and Chamorro, in other cases the application of the 1923 treaty

has not prevented the advent to power, sometimes after an election, nominal or real, of the revolutionary group. Thus the Conservatives who took up arms in 1924 against President López Gutiérrez in Honduras succeeded to office following the revolution, as did the Liberal party in Nicaragua after the revolt of 1927. Although the 1923 recognition treaty, therefore, has not prevented revolutionists from achieving their goal on occasion, even if indirectly, it has sometimes disqualified strong leaders, such as Carías in Honduras and Chamorro in Nicaragua, and tended to place the administration in the hands of weak leaders.

It was the intention of the authors of the 1907 treaties to promote Central American institutions with a view to union, and to apply the principles of the 1907 treaty through Central American procedure, notably the Central American Court of Justice. This intention was not realized, however, and since 1910 the Central American treaties have been enforced by what President Taft called "the moral mandate" of the United States.

According to some observers, the result seems to have been that instead of promoting Central American unity and independence, the 1907 and 1923 treaties have been converted into a kind of Platt Amendment, which has led to intervention by the United States. The victory of the principle of intervention over the principle of Central Americanism has been due in part to the internal weakness of, and jealousies among, the five Central American republics, and in part to the unilateral policy inaugurated by Taft and Knox in Nicaragua—a policy which resulted in the overthrow of Zelaya, the Bryan-Chamorro treaty and the Tipitapa agreement of 1927.

INCONSISTENCIES NOTED IN AMERICAN POLICY

Although the United States, under "its moral mandate," has undertaken the responsibility of applying the 1907 and 1923 treaties, its attitude toward revolution in Central America does not seem to have been consistent. Both Presidents Taft and Wilson went beyond the stipulations of the 1907

agreement in their attitude toward Central American governments. Taft and Knox looked with sympathy upon the revolution in Nicaragua against Zelaya, and declined to admit the eligibility of any one associated with him as a presidential candidate. Although Tinoco met the requirements of the 1907 treaty by constitutionally reorganizing Costa Rica, he failed to secure the recognition of President Wilson. In contrast, President Wilson's representative in Honduras in 1919 in effect sided with the revolutionists against President Bertrand, whose constitutional term would not have expired for six months. While the Wilson administration warned Guatemalans not to revolt against Estrada Cabrera in 1920, it did not protest when he was removed; nor did the State Department make any protest during the revolt against Carlos Herrera, Estrada's successor. Moreover, the State Department declined to admit the eligibility of Carías in Honduras, although his revolution was directed against an illegal government; while it recognized as President of Nicaragua in 1926 Adolfo Díaz, who was an uncle of one of the leaders of the coup d'état against Solórzano. On the other hand, the Department recognized Moncada as President in Nicaragua, although he had led the revolution against Díaz. As a result of these and other alleged inconsistencies, the United States has been charged with a desire not to discourage revolution as such, but to maintain in office in Central America Presidents amenable to its influence.

While it has repeatedly stressed the importance of "order," the State Department does not seem ever to have issued any general fiat against revolution in Central America as it did in Cuba in 1917.¹⁰ Sometimes it has issued a warning during an election campaign, as in the case of Honduras in 1923; sometimes it has hurled verbal denunciations against revolution at its outset, as in the case of the Tinoco coup; sometimes it has "mediated" between revolutionary factions as in Honduras in 1924, after the war has run its course, or "intervened" and compelled fighting to stop, as in Nicaragua in 1927. It is contended that from the stand-

¹⁰ Raymond Leslie Buell, "Cuba and the Platt Amendment," *F. P. A. Information Service*, Vol. V, No. 3, April 17, 1929.

point of the United States no policy can be a success which is subject to so many variations, and that from the standpoint of Central America the United States—instead of promoting social progress in Central America—has merely created a feeling of dazed helplessness and a desire to know what the United States will do next. Moreover, the room for widely divergent interpretations of the 1923 treaty may give rise to serious differences between governments, as in the case between the United States and Mexico in 1926. At that time the Mexican government accepted the principle that a government coming into power as a result of force should not be recognized," but recently the Mexican government has flatly rejected any such principle. In a statement published September 27, 1930, Genaro Estrada, Secretary of Foreign Affairs, declared:

"After a careful study of the matter, the government of Mexico has sent instructions to its ministers and *chargés d'affaires* in those countries affected by the recent political crises, informing them that Mexico does not favor the granting of recognition because it considers this practice derogatory. . . . It places them in a situation where their domestic affairs may be judged . . . by other governments which actually assume an attitude of censorship when they decide favorably or unfavorably on the legality of a foreign régime. In consequence, the government of Mexico limits itself to maintaining or recalling its diplomatic agents when it believes it to be desirable, and of continuing to accept, likewise when it considers it desirable, similar diplomatic agents that other nations may have accredited to Mexico, without questioning, either precipitately or *a posteriori*, the right which foreign nations have to maintain or change their governments or authorities. . . ."¹¹

Mexico, therefore, may receive representatives from a government in Central America the existence of which the United States refuses to admit, and a conflict, similar to that between Mexico and the United States in 1926, may recur.

THREE POSSIBILITIES OPEN FOR AMERICAN DIPLOMACY

As for the future, there are at least three possibilities: first, the United States may

continue its unilateral policy of interpreting and applying the principles of the 1923 treaty—a treaty to which it is not a party. Secondly, at a new Central American conference the 1923 treaties, which may be abrogated in 1934, may be revised to make the prohibition against revolution less drastic, perhaps by returning to the provisions of the 1907 treaty of peace and amity, thus restoring Central American judicial or administrative machinery to enforce these treaties and to develop Central American unity. Such a procedure would result in a uniform interpretation, which governments like the United States or Mexico, which are not party to the treaties, could follow as a guide for their own recognition policy. Finally, the United States may adopt a policy of complete non-intervention in Central America, recognizing *de facto* governments as it now does in South America proper, Santo Domingo and Panama.

At one time there may have been a basis for the fear that European intervention in Central America would injure the position of the United States in Panama. As a result of the World War, however, the United States has become a predominant financial power. Moreover, it has constructed a navy which is supreme in Caribbean waters. In view of its newly established position, no foreign power, it is contended, would dare to challenge the position of the United States in Central America or the Caribbean. Moreover, such international institutions as the League of Nations and the Permanent Court of International Justice now give to the states of Central America¹² a guarantee against aggression, which still further reduces the likelihood of foreign intervention. Since the balance of power in the Caribbean area has been revolutionized by these new facts, it is contended that the United States should allow the Central American peoples to work out their own problems until a non-American power actually attempts to take advantage of internal conditions to establish a foothold. If such an attempt should be made, and no other means should succeed in forestalling the attempt, the United States

11. Cf. p. 198, footnote 80.

12. Estados Unidos Mexicanos, *Boletín Oficial de la Secretaría de Relaciones Exteriores*, Vol. LV, No. 9, September 1930; also Juan José Soler, "La Doctrina Estrada Sobre Reconocimiento de Los Gobiernos de Facto," *Revista de Derecho Internacional* (Habana), Vol. 19, No. 37, March 1931, p. 6-15.

13. Costa Rica, which withdrew from the League on January 1, 1927, has not, however, returned to the League despite a favorable vote by its Congress on July 8, 1930. Buell, *The Central Americas*, cited, p. 26.

might be justified in intervention, but not before. The supporters of this view believe that the Central American states will make

progress only when they are allowed to work out their problems without fear of foreign intervention.

APPENDIX

Treaties Signed February 7, 1923, at Washington, During the Conference on Central American Affairs.

General Treaty of Peace and Amity

Date in force: November 24, 1924*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Guatemala	May 24, 1924
Costa Rica	November 24, 1924
Honduras	February 2, 1925
Salvador	June 22, 1925
	(date of notification)

Convention for the Establishment of an International Central American Tribunal

Date in force: March 10, 1925*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Costa Rica	November 24, 1924
Honduras	March 10, 1925
Guatemala	June 19, 1925

Convention for the Limitation of Armaments

Date in force: November 24, 1924†

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Salvador	May 22, 1924
Guatemala	May 24, 1924
Costa Rica	November 24, 1924
Honduras	March 10, 1925

Convention for the Establishment of Permanent Central American Commissions

Date in force: March 10, 1925*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Salvador	May 22, 1924
Honduras	March 10, 1925
Guatemala	June 19, 1925

Extradition Convention

Date in force: November 24, 1924*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Salvador	May 22, 1924
Costa Rica	November 24, 1924
Honduras	March 10, 1925
Guatemala	June 14, 1925

Convention relative to the Preparation of Projects of Electoral Legislation

Date in force: (Three ratifications required)

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Honduras	March 7, 1925

Convention for the Unification of Protective Laws for Workmen and Laborers

Date in force: March 20, 1925**

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Honduras	March 20, 1925
Guatemala	June 14, 1925

Convention for the Establishment of Stations for Agricultural Experiments and Animal Industries

Date in force: November 24, 1924*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Salvador	May 22, 1924
Costa Rica	November 24, 1924
Honduras	March 24, 1925
Guatemala	June 14, 1925

Convention for the Reciprocal Exchange of Central American Students

Date in force: June 14, 1925*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Honduras	March 24, 1925
Guatemala	June 14, 1925

Convention on the Practice of the Liberal Professions

Date in force: November 24, 1924*

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	March 15, 1923
Salvador	May 22, 1924
Costa Rica	November 24, 1924
Honduras	March 10, 1925
Guatemala	June 19, 1925

Convention [between Guatemala, Salvador, Honduras and Nicaragua] for the Establishment of Free Trade

Date in force: (Three ratifications required)

<i>Ratifications</i>	<i>Date Ratified</i>
Nicaragua	Not given

Convention for the Establishment of International Commissions of Inquiry

Date in force: June 13, 1925†

<i>Ratifications</i>	<i>Ratifications Deposited</i>
United States	June 13, 1925
Guatemala	" " "
Honduras	" " "
Nicaragua	" " "
Costa Rica	" " "

*Remains in force until January 1, 1934. Thereafter it shall continue in force until one year after its denunciation by any signatory. Provided that three signatories have not denounced it, however, it shall continue to remain in force in so far as they are concerned.

†Remained in force by provisions of Article VIII until January 1, 1929. Since then has been subject to denunciation, with termination one year thereafter. Provided that four signatories have not denounced it, however, it shall continue to remain in force in so far as they are concerned.

**Remains in force until one year from the date of its denunciation by any signatory, and cannot be denounced before January 1, 1939. Provided that two signatories have not denounced it, however, it shall continue to remain in force in so far as they are concerned.

‡Remains in force for ten years after taking effect, and is to continue in force for one year after the denunciation of any signatory. Provided that three signatories have not denounced it, however, it shall continue to remain in force in so far as they are concerned.